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OFFICE OF PETITIONS

In re Application of :
Yock, et al. :
Application No. 10/776,037 :
Filed: 9 February, 2004 :
Attorney Docket No. 13854.4004 :

ON PETITION

This is a decision on the renewed petition under ¶(a) of 37 C.F.R. §1.47, filed on 19 June, 2005.

The petition is **GRANTED**.

BACKGROUND

The record indicates:

- the instant application was filed on 9 February, 2004, without, *inter alia*, a fully executed oath/declaration;
- on 14 April, 2004, the Office mailed a Notice of Missing Parts indicating, *inter alia*, that a fully executed oath/declaration was required within two months;
- on 19 July, 2004, Petitioner Charles Fowler (Reg. No. 39,675) filed (with a request and fee for extension of time) the a declaration as to unavailable inventors, along with an

oath/declaration containing the signatures of named co-inventors Paul G. Yock, Ali H. Hassan, Alan Ching Yeun Yeung, Andrew Carter, Mehrdad Razaee and Peter Fitzgerald, but without the signatures of named co-inventors Niall Herity and Sidney Lo, and an averment that the entire application was presented to Niall Herity and Sidney Lo, but the petition was dismissed on 6 May, 2005 because no copies of the transmittal letters were included in support of the averment, and no showing was made as to efforts to ascertain the currency of the addresses offered for the non-signing inventors;

- the instant petition corrects these defects.

Lastly, Petitioner has submitted a declaration in compliance with 37 C.F.R. §1.63 and §1.64 and Petitioner has shown that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 C.F.R. §1.47(b).


This application hereby is **ACCORDED status under 37 C.F.R. §1.47(b).**

As provided under 37 C.F.R. §1.47(b), the Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition.

Notice of the filing of this application also will be published in the Official Gazette.

This file is released to OIPE for processing as necessary to reflect the instant decision before being released for examination in due course.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3214.



John J. Gillon, Jr.
Senior Attorney
Office of Petitions